

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: EDWARD A. HUBBARD

Filed: MARCH 30, 2000

For: DISTRIBUTED BACK-UP SYSTEM AND ASSOCIATED METHOD

Serial No.: 09/539,107

Group Art Unit: UNKNOWN

Examiner: UNKNOWN

Atty Dkt: ETHG:008
f/n/a BAY3:008

TC 2700 MAIL ROOM

JUN 13 2000

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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in a first class envelope, postage prepaid, addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on the date below:

5-17-00
Date 18 D84

Dellie Ferrara
[Name]

Assistant Commissioner For Patents
Washington, D.C. 20231

**ELECTION UNDER 37 C.F.R. §§3.71 AND 3.73
AND POWER OF ATTORNEY**

Sir:

The undersigned being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office filed concurrently herewith, hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventor. A statement under 37 C.F.R. 3.73(b) (PTO Form PTO/SB/96 (6-98)) is concurrently filed herewith.

The Assignee hereby revokes any previous Powers of Attorney and appoints Robert M. O'Keefe, Reg. No. 35,630; Richard D. Egan, Reg. No. 36,788; Brian W. Peterman, Reg. No. 37,908, and William W. Enders, Reg. No. 41,735, each an attorney of the firm of O'KEEFE, EGAN & PETERMAN, LLP, as its attorney for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection

therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

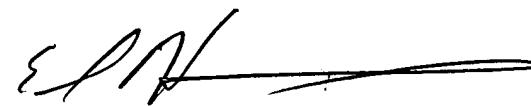
Pursuant to 37 C.F.R. §3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to ETHERGENT CORPORATION referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

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ASSIGNEE:

ETHERGENT CORPORATION

By: 

Name:

Title:

Date: 5/15/00

ASSIGNMENT:

Filed concurrently herewith
 Previously filed [date](copy enclosed)
 Previously recorded
Date: _____
Reel: _____
Frame: _____

cc: Edward Hubbard

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